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CRETAN EXPEDITION

XV

THE *STARTUS* IN THE CRETAN INSCRIPTIONS

IN the Great Inscription of Gortyna (column V, line 5) is the phrase, ὅκ' ὁ Αἰθαλενστάρτος ἐκόσμιον οἱ σὺν Κύ[λ]λοι. This phrase has been collated with the headings of Cretan decrees, ἐπὶ τῶν Αἰθαλέων κοσμιόντων, ἐπὶ τῶν Ἐχανορέων κοσμιόντων, and with the Hesychian gloss, στάρτοι· αἱ τάξεις τοῦ πλήθους, and thus the common opinion has been formed that the στάρτοι may be subdivisions of the whole or part of the citizens of the various Cretan cities, whence were taken in turn the supreme magistrates, the *cosmi*. In this hypothesis the difficulty consists in determining what the relations were between the *starti* and the *φυλαί*. The Great Inscription of Gortyna speaks, in the place quoted, of the *startus* of the Αἰθαλεῖς, in other places of *φυλαί* (col. VII, line 51, and col. VIII, *passim*); and it would seem thus to show that στάρτος and φυλή are two very different things. Every doubt is excluded by an inscription of Lyttos of the Roman age (see below), where a plain distinction is made between στάρτοι and φυλαί. Now in the headings of the Cretan decrees recur names not only different from those of the three Doric tribes, as Ἐχανορεῖς, Αἰθαλεῖς, Αἰσχεῖς, but also those of the three Doric tribes of the Ἱλλεῖς, Δυμᾶνες, and Πάμφυλοι. For this reason Ciccotti¹ and Semenov²

¹ *Studi e documenti di storia e diritto*, XIII (1892), p. 174.

² *Antiquitates iuris publici Cretensium* (Petropoli, 1893, Diss.), pp. 92 ff.

have supposed that the Ἰλλεῖς, Δυμῶνες, and Πάμφυλοι in Crete cannot be tribes as in Argolis, but *starti* as, in their opinion, the Αἰθαλεῖς are. Semenoff quotes the example of Ephesus, where the Ἀργαδεῖς are no longer a tribe as in general in the Ionian countries, but a simple *χιλιαστής* of the tribe of the Ἐφεσείς. The analogy is only half correct; since the division in *χιλιαστές* is artificial and recent, and we can well understand how, new elements introducing themselves in the citizens, and forming with these new tribes, they were able to apply the word *χιλιαστές* to the already existing subdivisions of the ancient element. But the division into *γένη* and *φρατρίαι*, with which Ciccotti and Semenoff compare more or less the divisions into *starti*, is doubtless much more ancient than that into *χιλιαστές*, and of a nature differing from that into tribes. It is difficult to understand how a tribe can have descended into the rank of *γένος* or of *φρατρία*. But even if we admit an anomaly of this kind, it would be always strange enough to find it not in one city only, but in a collection of autonomous cities. We may add that it would be very singular if, while all over Greece in the selection of magistrates the tribes were essentially taken into account, in Crete the start was always made from a subdivision of the tribe instead.

These difficulties have not escaped G. Busolt, who, to eliminate them, has proposed a new hypothesis.¹ According to him the inscriptions in the headings of which occur the names of Αἰθαλεῖς, Ἐχανορεῖς, etc., are anterior to a democratic revolution which took place in Crete in the course of the third century B.C. Before this revolution the magistrates were taken from the *starti*. The *startus* was "eine Adelssippe, sei es ein grosses *γένος*, sei es eine Vereinigung von *γένη* oder eine Phratricie." After the democratic revolution, however, the *cosmi* are taken not from the *startus* only, but from the body of the *φυλεταί*. To the times after this revolution and to the middle of the third century would belong the inscriptions dated ἐπὶ τῶν

¹ *Griechische Geschichte*, I², p. 347, note 2.

Ἑλλέων, Παμφύλων, Δυμάνων κοσμιόντων. This hypothesis will not stand criticism. In the first place, the tribes are certainly anterior to the colonization of Crete, and hence we can explain how they recur equally in the various cities of Crete. But the formation of the nobility and of the *γένη* is later than the colonization, because it supposes an inequality in the landed property which could scarcely have existed among the early colonists. In this way it is exceedingly difficult to explain the 'Adelssippe' of the Αἰθαλείς as well at Gortyna as at Dreros and at Malla. The assertion also of Busolt, that the inscriptions wherein are mentioned the Ἑλλεῖς, Δυμᾶνες, and Πάμφυλοι are of later date than the others, does not seem exact. For example, it seems to me improbable that the inscription of Malla dated ἐπὶ τῶν Αἰθαλέων κοσμιόντων, where the judges of Cnossos and of Lyttos are thanked, can be anterior to the second century B.C.¹ Busolt anticipates this objection, and notes that it is not impossible the Αἰθαλείς might form in Dreros and in Malla a φυλή, whilst in Gortyna they were only a γένος or a phratria. This seems to me a very improbable hypothesis, and open to the same objection that I have urged above against the transformation of the Δυμᾶνες into a *startus*. But in Gortyna itself the facts seem in contradiction with the hypothesis of Busolt. An inscription of this city—which seems to Professor Halbherr, from the form and the *ductus* of the letters, the most ancient among the non-archaic inscriptions recently published by him—is dated ἐπὶ τῶν Δυμάνων κοσμιόντων,² whilst another more recent document is dated ἐπὶ τῶν Αἰθαλέων κοσμιόντων.³ That this last belongs to a later period is clear from the forms of the letters, as well as from the date βασιλεύοντος Δημ[ητρίου τοῦ Ἀν]τιγόνου ἔτους τρίτου. That the reference here is to Demetrius II, called the Aetolian, scarcely needs demonstration; because in the third year of the reign of Demetrius Poliorcetes

¹ Halbherr, *Museo Italiano*, III, pp. 627 ff. In the date I follow Haussoullier, *Bulletin de Correspondance Hellénique*, IX (1885), p. 17. See also Scrinzi, 'La guerra di Lyttos,' in the *Atti dell' Istituto veneto*, Seventh Series, IX (1897-98), pp. 1575 f.

² *Am. J. Arch.* Second Series, I (1897), pp. 198 ff.

³ *Ibid.* pp. 188 ff.

his father, Antigonus Monophthalmus, was still living, and hence in the heading both would be mentioned as kings. Therefore the inscription belongs to 237 or 236 B.C.

All this ought to incline us to the opinion that the *startus* is neither a φυλή nor a subdivision of the φυλή. We are put on the track of a right interpretation by a fragment of Gortyna, which Comparetti restores as follows: ἐγρ]άτται αἱ ὁ Αἰ[θ]α- [λεὺς στάρτος ἔγρα]φον κτλ. But the restoration is not absolutely certain. It seems to me, however, that the light we need comes from the treaty between Gortyna and Rhizena, published by Halbherr in this JOURNAL, I (1897), pp. 204 ff., where it is said of the σαρταγέτας and the κοσμίων of Gortyna who goes to Rhizena, δ]αμιῶμεν δὲ δαρκνὰν καὶ κατακρέθαι πεδὰ τε τῷ στάρτο καὶ πεδὰ τῶν Ῥιττενίων. As to the meaning of this prescription, I shall speak farther on. But it is plain that if one is obliged to do a given action together with the *startus* and together with the Rhizenians, the *startus* can by no means be a τάξις τοῦ πλήθους, but something different and superior to the Rhizenians in general. We have only to compare the formulas so very frequent in Cretan inscriptions: ἔδοξε τοῖς ἄρχουσι καὶ τῷ κοινῷ, ἔδοξε τοῖς κόσμοις καὶ τῇ πόλει.

The *startus* is nothing more than the whole body of the *cosmi*. The phrase ὁ Αἰθαλεὺς στάρτος ἐκόσμιον means that the *startus* who had in that year the cosmos-ship, — or, as we may say, the *cosmi* of the year in question, — were chosen from the tribe of the Αἰθαλεῖς. The names of the Αἰθαλεῖς, Εχανορεῖς, Αἰσχεῖς, are names of tribes as well as the Ἑλλεῖς, Δυμᾶνες, and Πάμφυλοι. As in the cities of Asiatic Ionia, to the four so-called Ionian tribes were added others, especially the Βωρεῖς and the Οἰνώπες, so in the Cretan cities evidently to the three so-called Doric tribes some other tribes were added, the more frequent of which, according to the epigraphic material, is that of the Αἰθαλεῖς. And in Crete, as pretty generally all over Greece, the tribes especially were taken into account in the election of the magistrates. Of course when I say the *cosmi* were elected according to their tribes,

I do not mean to affirm that all those inscribed in the tribes were eligible; and hence I do not place myself at all in contradiction with Aristotle, *Polit.* II, p. 1282 a, according to whom the *cosmi* were taken ἐκ τινων γενῶν. Also in Athens, for example, the Archons and their γραμματεῖς were elected one from each tribe; but the ζευγίται were ineligible up to 453–452 B.C., and the θῆτες nominally were never eligible at all. Against this interpretation of the word *status*, the authority of Hesychius ought not to be brought forward; since the lexicographers were often inexact in their statements about public antiquities. What should we know of the μείον and the κοῦρειον, notwithstanding the numerous statements about them in the lexica, if the inscription of the Demotionidae had not thrown some light upon the subject? As to etymology, it is certain that στάρτος cannot be separated from στρατός. This latter word is usually derived from the root στορ or σταρ, ‘to stretch,’ and connected with the verb στορέννυμι.¹ Semenoff (*op. cit.* p. 93) compares it with στερεός, and thinks that the meaning is that of *aliquid firmum, compactum, bene junctum*. But whether this be the primitive meaning of the word στρατός, or only a later derivation, there can be no difficulty in finding the vocable στάρτος, in the sense of a body of magistrates, closely related to that signification.

These inferences as to the meaning of the word *status* give, in turn, new light for the interpretation of the treaty between Gortyna and Rhizena. I select some phases of it: τὸν δὲ σπαρταγέταν καὶ τὸν κοσμίουτα ὃς κ’ ἄγε[ι ‘Ριττ]έναδε κοσμεῖν πεδὰ τῷ ‘Ριπτενίῳ κόσμῳ, τὸν μὲ πειθόμενον τῷ πο[λέμῳ].

Startagetas is the head of the *status*; he who in a later age — for the first time in a decree of the fourth century² — is called πρωτόκοσμος. Let us remember that in many Cretan

¹ Curtius, *Grundzüge der griech. Etymologie*⁴, p. 215. Vaniček, *Etymologisches Wörterbuch*, II, p. 1145. Prellwitz, *Etymologisches Wörterbuch*, p. 304. J. Schmidt, *Kuhn's Zeitschrift*, XXXII (1892), pp. 379 f.

² Mariani, *Monumenti Antichi*, VI (1896), pp. 299 ff. = Michel, *Recueil*, no. 440.

documents, beginning with the Great Inscription of Gortyna (*l. cit.*), the fact is clearly alluded to that the *cosmi* have a chief who serves especially at Eponymus, for example: ἐπὶ τῶν Αἰθαλέων κοσμιόντων τῶν σὺν Κυΐαι¹; ἐπὶ τῶν Ὑλλέων κοσμι[όντων τῶν σὺν] Κυδάννῳ.² There is also the case of one of the *cosmi* called by a special name, in distinction from the body of the other *cosmi*. Thus in an inscription of Gortyna³ we read: οἱ κόρμοι οἱ σὺν Ἀρατογόνῳ τῷ Ἀρτέμωνος κὼ ἱεροργὸς ἐπεμέληθεν τῷ ταύ[ρ]ῳ κ[αὶ] τὰς ἐρίφῳ. ἐκόρμιον οἶδε· Ἀρατόγονος Ἀρτέμωνος, Κύδανς Ὀνυμάρχῳ ὁ ἱεροργός, Πύρρος Ἀρκεσίλλῳ κτλ., whence we see that the ἱεροργός is the second of the *cosmi*, ranking immediately after the *σπαρταγέτας*. According to our inscription, however, the *startagetas* and the simple *cosmus* of Gortyna who goes to Rhizena can exercise the office of *cosmus* together with the *cosmus* of Rhizena; in the last part of the phrase *cosmus* is used collectively, according to a usage not rare in Cretan inscriptions. I read, in continuation of Halbherr's reading, τὸν μὲ πειθόμενον τῷ πολέμῳ, because the sense and the examination of the squeeze persuade me of the impossibility of accepting any restoration except that of πολέμῳ. This addition does not represent to us the object of κοσμέν, because κοσμέν has in the Cretan inscriptions the sole meaning of exercising the office of *cosmus*, — a meaning which is here imposed by the vicinity of the participle κοσμιόντα, which no one could take in any other sense. We are forced, therefore, to accept it as a limitative opposition to τὸν σπαρταγέταν καὶ τὸν κοσμιόντα. The construction of πείθομαι with the genitive, though rare, occurs several times: it is true that, in all the examples known to me, the matter is of a personal genitive.⁴ The sense, in any case, seems clear: not always are the *startagetas* and the *cosmus* of Gortyna to be able to exercise the office of *cosmus* at Rhizena, but only when they do not pass through the territory of Rhizena for reasons of

¹ *Mus. Ital.* III, p. 657. ² *Mus. Ital.* III, p. 647.

³ Halbherr, *Mus. Ital.* III, pp. 695 ff.

⁴ See Kühner, *Ausführl. Grammatik*, II, I³, p. 359.

war; it is not a war with Rhizena that is understood, but the passing in arms through territory belonging to this city. In this case the reason why the Gortynian *cosmus* is not admitted to exercise the jurisdiction together with the *cosmi* of Rhizena is obvious, and is analogous to that by which in Rome a magistrate who has the *imperium militare* cannot enter the *pomerium*.¹ The inscription continues: δαμιῶμεν δὲ δαρκνάν, that is, ζημιῶν δραχμήν. The construction of ζημιῶν with the accusative does not offer difficulties, although in the examples known to me the cases are of an accusative of the internal object or of an indeterminate accusative. The reference here seems to be to the power of the *cosmus* and of the *σπαρταγέτας* of ἐπιβολὰς ἐπιβάλλειν, to use the customary phrase in Athens; that is, to impose small fines for contraventions of the rules or usages relative to behavior in assemblies, sacred places, or the like. The measure of the fine which the *cosmus* of Gortyna can impose at Rhizena is doubtless very trifling. But that is natural. If the *cosmus* of Gortyna had the power of imposing at Rhizena heavier penalties than this, the autonomy of the city would be in danger. And just to prevent this power of the *cosmus* of Gortyna from degenerating into an abuse, it was established that he could not use at his own pleasure the fine exacted, but must spend it in agreement with the *cosmi* and people of Rhizena, or pay it into the city treasury. This was of such import that, in the case he does not comply with these prescriptions or he exacted heavier fines, he was subject to a κσενεία δίκᾱ. What is meant by this δίκᾱ? We know, from an inscription of Gortyna, that one of the *cosmi* was called κόσμος ξένιος.² This would be equivalent to the *praetor peregrinus* at Rome, who had jurisdiction over foreigners. By κσενεία δίκᾱ, therefore, was probably meant an accusation laid before the κόσμος ξένιος. In

¹ On the military character of the *cosmi*, cf. Aristot. *Pol.* II, p. 1272 a, τὴν ἡγεμονίαν οἱ κόσμοι τὴν κατὰ πόλεμον ἔχουσιν. Hesych., κόσμος· στρατηγός.

² Comparetti, *Mon. Antichi*, III, pp. 73 f., no. 148. See the Great Inscription, col. XI, line 17.

this sense, rather than in the meaning of *γραφὴ ξενίας*, I would explain the *δίκη ξενική* mentioned in the oath of the Itanians: ¹ οὐδὲ δίκαν ἐ[παξέ]ω ξ[ε]νικὰ[ν] τῶν πολιτῶ[ν οὐδαν]ι ἐριθεῶ[ζω]ν παρεορέσι ο[ὐδεμιᾶ]ι. It seems that the citizens were under obligation to settle the controversies which might arise between them and Itanos, and were not to carry their disputes before the *κόσμος ξένιος* of another city. The opportunity might present itself when two citizens of Itanos might meet in foreign parts, whether for war or for business.

It only remains now to be seen how these hypotheses of mine agree with the inscription of Lyttos where the *starti*² are mentioned: . . . τῆς δόσεως τοῖς στάρτοις κατὰ τὰ πάτρια καὶ Θεοδαισίοις καὶ Βελχανίοις · τὸν δὲ πρωτοκοσμούντα κατ' ἔτος ἡ ἐπιμελούμενον διδόναι διανομὴν Θεοδαισίοις ἐκ τῶν δόσεων ὧν οἱ στάρτοι λαμσάνουσιν (δηνάρια) ,αφ' καὶ Μαῖταις καλ(άνδαις) ἐκ τῶν ταῖς φυλαῖς διδομένων χρημάτων, τὸ ἐνδέον οἴκοθεν προεισφέροντα ἀμφοτέραις ταῖς διανομαῖς κτλ. The sense seems to me clear, although partly misunderstood by M. Doublet. The *protocosmus* or the *epimeletes* has to make, on occasion of the Theodaesia and of the kalends of May, a distribution of money to the people, to the amount, as it appears, of 1500 *denarii*, upon each of the anniversaries. The first time the sum must be taken from the treasury into which flows the money which the *starti* receive (how or why the inscription does not explain); the second from the treasury of the tribes. The case is foreseen when neither of these treasuries can supply the necessary amount; then the *protocosmus* or *epimeletes* is bound to make up the deficiency from his own purse. It seems that the state has not any funds disposable except from those two sources; private munificence must make up the rest. This could be explained if the *starti* were nothing else than colleges of magistrates; because in the passage quoted above *στάρτος* means the

¹ *Mus. Ital.* III, pp. 563 ff.

² Doublet, *Bull. de Corr. Hellénique*, XIII (1889), pp. 61 f.; Comparetti, *Mon. Antichi*, III, p. 190.

college of the *cosmi*; but the number of magistrates increasing with time, and new magistracies being created along with the *cosmi*, all these colleges may very well have taken the name of *starti*, which would have come to be an equivalent almost to *συναρχίαι*.

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